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c Pr43 Children's Oncology Care of Ontario Inc. Act, 1993

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CHAPTER Pr43

An Act respecting Children's Oncology Care of Ontario Inc.

Assented to November 30, 1993

Preamble	<p>Children's Oncology Care of Ontario Inc. has applied for special legislation to exempt certain land and premises from taxation for municipal and school purposes. The applicant represents that it was incorporated by letters patent dated the 6th day of November, 1979 under the laws of the Province of Ontario and that it is a registered charitable organization within the meaning of the <i>Income Tax Act</i> (Canada). The applicant also represents that it has a freehold interest in land and premises described in the Schedule and known municipally as 26 Gerrard Street East in the City of Toronto.</p> <p>It is appropriate to grant the application.</p> <p>Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:</p>	<p>diately become payable to the Corporation.</p>
Definition	<p>1. In this Act, "Corporation" means The Corporation of the City of Toronto.</p>	<p>(2) An agreement under subsection (1) may provide that, if Children's Oncology Care of Ontario Inc. sells, leases or otherwise disposes of the exempted land and acquires other land in the City of Toronto which it occupies and uses solely for its purposes, the Corporation may postpone the collection of the taxes foregone until such time as the substituted land is disposed of by sale, lease or otherwise.</p>
Tax exemption	<p>2.—(1) The council of the Corporation may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the <i>Assessment Act</i>, occupied by Children's Oncology Care of Ontario Inc. and known municipally as 26 Gerrard Street East in the City of Toronto, so long as the land is occupied and used solely for the purposes of Children's Oncology Care of Ontario Inc.</p>	<p>(3) If an agreement has been entered into under subsection (1) and Children's Oncology Care of Ontario Inc. sells, leases or otherwise disposes of the land and acquires other land in the City of Toronto which it occupies and uses solely for its purposes, the Corporation may by by-law transfer the tax exemption under section 2 to the substituted land.</p>
Conditions	<p>(2) An exemption granted under subsection (1) may be subject to such conditions as are set out in the by-law.</p>	<p>(4) An agreement made under subsection (1) may be registered against the title of the land affected in the proper land registry office and, when so registered, the amounts payable under the agreement shall, until paid, be a lien or charge upon that land and may be added by the clerk of the Corporation to the collector's roll and collected in the same manner as real property taxes.</p>
Retroactive by-law	<p>(3) The by-law may be retroactive to January 1, 1993.</p>	<p>(5) If land is substituted for the land described in an agreement made under subsection (1), the Corporation may register the agreement against the title of the substituted land, even though the substituted land is not described in the original agreement and, upon registration of an agreement under this subsection, the land described in an agreement registered under subsection (4) is discharged from the lien or charge described in that subsection and the amounts payable under the agreement shall, until paid, be a lien or charge upon the substituted land and may be added by the clerk of the Corporation to the collector's roll and collected in the same manner as real property taxes.</p>
Agreement to pay where lands sold	<p>3.—(1) The council may provide that a by-law passed under section 2 does not come into force unless Children's Oncology Care of Ontario Inc. enters into an agreement with the Corporation whereby, if the land exempted from taxes is sold, leased or otherwise disposed of, then the taxes foregone in the preceding period of ten years or in the period since the by-law was passed, whichever period is shorter, immediately become payable to the Corporation.</p>	<p>(6) If the Corporation receives a payment under an agreement made under subsection (1), the Corporation shall retain for its own</p>

Change of
property

Transfer of
exemption

Registration
of agreement

Substituted
land

Reimburse-
ment of
other taxing
authorities

use its share of the taxes foregone, and shall reimburse The Municipality of Metropolitan Toronto, The Board of Education for the City of Toronto and the Metropolitan Toronto School Board for their share of the taxes foregone.

Repeal of
by-law

(7) Even though an agreement has been entered into under subsection (1), the council may at any time repeal a by-law passed under section 2 or under subsection (3) without affecting the validity of the agreement and the repeal of the by-law does not accelerate the time for the repayment under the agreement of any taxes foregone.

Deemed
exemption

4. For the purposes of subsection 244 (8) of the *Municipality of Metropolitan Toronto Act*, the exemption from taxation granted under section 2 shall be deemed to be an

exemption provided under section 3 of the *Assessment Act*.

5. This Act comes into force on the day it receives Royal Assent. Commence-
ment

6. The short title of this Act is the *Children's Oncology Care of Ontario Inc. Act*, 1993. Short title

SCHEDULE

That parcel of land in the City of Toronto, in The Municipality of Metropolitan Toronto, being composed of part of Lot number 5 on the north side of Gerrard Street East, according to a plan registered as number 22-A in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64) and of parts of lots number 9, 10 and 11, according to a plan registered as number 377 in that registry office.